

Compliance Assessment Report

Report ID:
CAR_NRW0023819

This form will report compliance with your permit as determined by an NRW officer

Site	Peter's Food Service	Permit Ref	SP3635CS		
Operator/Permit holder	Peter's Food Service Limited				
Regime	Installations				
Date of assessment	21/06/2016	Time in	10:00	Out	12:00
Assessment type	Report/Data Review				
Parts of the permit assessed	Annual report and containment				
Lead officer's name	Willey, David				
Accompanied by					
Recipient's name/position	Dafydd Davies/ Safety, Health, Environmental and Training Manager	Date issued	02/08/2016		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
B4 - Infrastructure - Containment of stored materials	C3	3.2.3
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	4.2.2

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

Number of breaches recorded	2	Total compliance score (see section 5 for scoring scheme)	4.1
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

Peter's Food Service site visit – 21st June 2016

1. Site overview
2. Action from last CAR Form dated 23rd June and 22nd September 2015
3. Air emissions monitoring
4. Annual returns
5. Permit requirements
6. Notification requirements
7. Sector approach for 2016
8. Site inspection

1. Site overview

Steve Jones, Operations Director, provided a useful overview of the site and demonstrated the computerised tracking system in use at the site. This is used for performance trending and was able to pull up information in order identify energy efficiency savings. The site reported no issues and NRW have received no complaints in relation to activities on site.

2. Action from last CAR Form dated 23rd June and 22nd September 2015

The following actions and recommendations were discussed from the CAR Form dated 23rd June 2015:

Action 1 – Carry out an evaluation of your total site thermal input capacity in MWth.

This has been completed with the resulting total thermal input being well below the threshold of 50MWth for a Part A(1) combustion activity permit. The site may be subject to the Medium Combustion Plant Directive that has a threshold of 15 MWth. There are 4 x 300 KWe boilers on site and 31 x 200KWe units associated with the ovens giving a total of 7.4 MWe. To ensure the site does not need to meet the requirements of the MCPD the Operator needs to check the requirements as set out in the Directive. NRW will inform Peter's Food Service Limited of the

requirements as more information becomes available.

Action 2 – Implement monitoring to the emission points listed above for PM, CO and NO to MCERTs standards before the end of the year.

Peter's Food Service Limited installed sampling ports at A3 and oven exhausts 1, 2 and 3 to enable monitoring to be undertaken.

This has now been completed with Anchem undertaking monitoring of emission point A3 (Peter's Food Service Limited ref. BA14) and oven line exhausts 1, 2 and 3. Monitoring was undertaken for particulates, oxides of nitrogen and carbon monoxide.

Carbon monoxide values were high for exhausts 2 and 3. This was put down to the ovens / boilers not being utilised at the time. This in turn would have resulting higher levels of Carbon Monoxide and lower NOx. A5 exhaust 1 has higher NOx and lower CO as this oven was in use at the time the monitoring was undertaken. Peter's Food Service Limited can use this data to target energy efficiency at the site.

Boiler A3 demonstrated good levels of CO and NOx, there are no prescribed emission limits in the Food and Drink Sector guidance notes to compare performance.

Recommendation 1 – Have the waste accounting process written into the site EMS. This will ensure that all waste transfer notes can be audited.

ACTION: Recommendation carried forward, NRW to follow this up.

Recommendation 2 – Have the site annual returns balance with the PI returns.

Complete. The PI is no longer used and instead submissions are made using the PRTR system.

Recommendation 3 – Site to forward the last sewer monitoring return to NRW.

Completed.

The following actions and recommendations were discussed from the CAR Form dated 22nd September 2015:

Action 1 – NRW issues 1 x consolidated cat 3 breach of pc 4.3.1(a) – suspended score.

No ongoing action required.

Action 2 – Site to send a copy of WW monitoring returns to the site inspector as soon as practicable on their receipt.

Monitoring returns have been in line with the discharge consent for the last 6 months.

Recommendation 1 – site to re-determine the site totals thermal input capacity in MWth to the new Inspecting Officer.

See notes above with regard to thermal input.

Recommendation 2 – Site to explore methods of reducing COD to effluent discharge and report findings to the new inspector.

Peter's Food Service Limited are in the process of replacing the on-site interceptor and are designing an additional holding tank and monitoring location for their discharge to sewer. This will enable settlement to occur and reduce COD in the discharge. The current monitoring location does not give rise to accurate readings and if the monitoring location were to require MCERTs approval additional work would be required to ensure a compliant reading.

NRW were actioned to provide the relevant MCERTs guidance to Peters Food Service Limited, the link below is for the Technical Guidance Note M18 Monitoring of discharges to water and sewer.

<https://www.gov.uk/government/publications/m18-monitoring-of-discharges-to-water-and-sewer>

M18 has requirements for sampling points that must be met and should be considered when installing the new monitoring location.

Recommendation 3 – update management system with procedure for reporting effluent exceedences to NRW IAW pc 4.1.3 and schedule 5.

It was agreed in the meeting that exceedences of the discharge consent should be reported annually as part of the annual report. There are no emission limits in the permit for discharges to sewer and therefore no ELVs to breach. The consent is enforced by Welsh Water.

Good education on site has led to a reduction in COD levels, increasing awareness of the permit implications is a requirement of the permit and should be visible to all staff.

NRW were actioned to provide a word copy of the Schedule 5 notice for notifications, this will be sent separately from the CAR Form.

3. Air emissions monitoring

See notes above with regard to thermal input.

4. Annual returns

The annual report was submitted to NRW on the 29th February 2016. The permit requires the submission of the annual report by the 31st January as stated in condition 4.2.2 of the permit. This is considered as a category 4 breach of the permit where there is no foreseeable impact on the environment.

Errors were noted in the performance 1 return that have now been rectified and received on the

22nd June 2016.

All Food Waste generated on site is sent for anaerobic digestion and as from January 2015 no food waste or any other waste was sent to landfill.

5. Permit requirements

The requirements of the permit were discussed to ensure that annual returns and other requirements are submitted within the timeframes set out in the permit. The requirements are as follows:

Condition 1.2.1 – energy efficiency – review every 4 years

Condition 1.3.1 – efficient use of raw materials – review every 4 years

Condition 1.4.2 – avoidance, recovery and disposal of wastes produced by the activities – review every 4 years

Condition 4.2.2 – Annual report including:

- Review of monitoring

- Annual production

- Performance parameters

6. Notification requirements

The requirement of condition 4.3 Notifications was discussed that states, 'NRW should be noted without delay following the detection of:

- a) any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution;
- b) the breach of a limit specified in the permit; or
- c) any significant adverse environmental effects.'

These should be submitted to NRW using the Schedule 5 Notification form.

7. Sector approach for 2016

The approach adopted for the 2016 Food and Drink sector was briefly discussed with NRW looking at bunding and containment within the sector. NRW will be following this up later in the year.

8. Site inspection

A site inspection was carried out to familiarise NRW with the site. During the inspection NRW were shown the grease traps and the well coloured drain network on site.

NRW inspected the storage area where two barrels containing oil emulsifier were being stored in an unsuitable bunded area. All barrels / IBCs that contain substances that have the potential to impact the environment should be stored in a bunded area.

Figure 1: Unsuitable bunded area



Figure 2: Cracks in bund



Considered a Category 3 breach of permit condition 3.2.3 of the permit where all liquids in containers whose emission may cause pollution shall have secondary bunding.

ACTION: Peter's Food Service Limited to ensure all IBCs / barrels containing chemicals and raw materials are stored in appropriately bunded area.

Peter's Food Service Limited have since informed NRW that they intend on installing a self-contained storage unit similar to that used for the chemicals.

End.

EPR Compliance Assessment Report

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Operator/Permit holder	Peter's Food Service Limited	Date	21/06/2016

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			
B4	C3	Site to install appropriate bunded area	30/12/2016
G4	C4	Introduce a mechanism for identifying dates for the permits requirements	31/10/2016

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. Health and Safety Executive, local authorities) on environmental issues
- Carrying out statistical analysis, research and development on environmental issues
- Providing public register information to enquirers
- Investigating possible breaches of environmental law
- Assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this reports should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within twenty working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.